

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

1.	STACY PRICE, and)	
2.	CHAD JAMES, individually and)	
	as parents and next friend, for)	
	the minor child, K.J.,)	
)	
	Plaintiffs,)	
)	
v.	vs.)	No. CIV-07-1076-M
)	
1.	DALE E. WOLFORD, D.O.,)	
)	
	Defendant.)	

**JOINT REQUEST FOR AN ORDER APPROVING SETTLEMENT AGREEMENT AND
RELEASE, MINOR'S COMPROMISE, APPORTIONMENT AND ALLOWANCE OF
ATTORNEY FEES AND COSTS, AND OF AMOUNT ATTRIBUTABLE
TO MEDICAL PAYMENTS WITH EXTINGUISHMENT OF MEDICAID LIEN**

Come now the parties, jointly, and would show the Court that a settlement conference was held on June 30, 2008, before Judge Robert Bacharach. In attendance was Ms. Heather Poole, counsel for the Oklahoma Health Care Authority which has a Medicaid claim for medical payments. The litigation was settled on confidential terms more particularly set forth in a Settlement Agreement and Release hand delivered to this Court for review. Since the time of the settlement conference, a Friendly Suit was held in which representatives for the Oklahoma Health Care Authority opposed this Court's final ruling on October 23, 2008. As such, the Oklahoma Health Care Authority file an Appeal to the 10th Circuit Court of Appeals on or about 18th day of September 2009. On or about July 17, 2010 the 10th Circuit Court of Appeals reversed the decision of the Western District of Oklahoma and since the this Court has ordered an evidentiary hearing regarding the allocation of funds. However, since that time the Plaintiffs, Defendant and The Oklahoma Health Care Authority have reached an agreed settlement regarding the monies to be paid

back to the Oklahoma Health Care Authority. Consequently, an evidentiary hearing is no longer necessary. The parties jointly request a confidential review by the Court of the terms of the Settlement Agreement and Release and further request approval of the amounts set forth therein, including but not limited to that amount set forth for the use and benefit of K.J., the minor child, at the friendly suit hearing scheduled to occur at 10:00 a.m. on Tuesday August 31st.

WHEREFORE, premises considered, the parties jointly request that the Court review and approve the terms of settlement. By copy of this request to counsel for the Oklahoma Health Care Authority, the parties make said lien holder aware of the friendly suit hearing date, this request and their agreement that OHCA may appear at said hearing to assert its lien claim to that portion of the settlement apportioned to medical payments it satisfied and/or make its position known to your honor prior to the Court extinguishing their statutory lien.

A proposed Order approving the confidential settlement is attached hereto as Exhibit A. All of which is respectfully submitted.

APPROVED:

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Attorney for Oklahoma Health Care Authority

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of August, 2010, I electronically transmitted the attached document to the Court Clerk using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants (names only are sufficient):

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